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UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY A/S/O GEORDIE  
BUTLER,

Plaintiff-Intervenor,

v.

JANE WHITE  
QUEBEC INC & TRANSPORT  
EXPLORER INC

Defendants.

**MEMORANDUM DECISION AND  
ORDER ON MOTION TO INTERVENE**

2:16-CV-00279-DS

District Judge David Sam

Before the court is State Farm Automobile Insurance Company's unopposed Motion to Intervene as a plaintiff in the above entitled matter. This motion is GRANTED on the following grounds:

Movant claims an interest in the subject matter of this action and is so situated that the disposition of the action may as a practical matter impair or impede Movant's interest which is not adequately represented by any other party. Movant asserts its right of subrogation as basis for intervention.

In order for the court to grant permissive intervention under FRCP 24(b), three requirements must be met: "(1) an independent ground for subject matter jurisdiction; (2) a timely motion; and (3) a claim or defense that has a question of law or fact in common with the main action." *E.E.O.C. v. Nat'l Children's Ctr., Inc.*, 146 F.3d 1042, 1046 (D.C.Cir. 1998).

Movant has met all three requirements. Movant's grounds for subject matter jurisdiction is

supplemental jurisdiction, since the original suit previously met the requirements for diversity jurisdiction. The motion is timely because the existing parties are still in discovery. Intervention would pose little risk of prejudice to existing parties and denial of intervention could prejudice Movant. Movant's claim has facts and questions of law in common with the main action.

Given Movant's direct and substantial stake in the outcome of this litigation, and for the above reasons, as addressed in greater detail in Movant's Motion, and for good cause appearing, the court hereby grants Movant's motion.

DATED this 9th day of August, 2017.

BY THE COURT:



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DAVID SAM  
United States District Judge